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MINISTRY OF FOOD AND AGRICULTURE

(Department of Food)

NOTIFICATION

New Delhi, the 14th February, 1964

**G.S.R. 243.**—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order further to amend the Sugarcane (Control) Order, 1955, namely:—

1. This Order may be called the Sugarcane (Control) Amendment Order, 1964.
2. In the Sugarcane (Control) Order, 1955—
  - (i) in clause 2, after sub-clause (c), the following sub-clause shall be inserted, namely:—

"(d) 'year' means the year commencing on the first day of July and ending with the thirtieth day of June in the year next following.;"
  - (ii) for clause 4, the following clause shall be substituted, namely:—

**"4. Power to regulate distribution and movement of sugarcane.—(1) The Central Government may, by order notified in the Official Gazette,—**

    - (a) reserve any area where sugarcane is grown (hereinafter in this clause referred to as 'reserved area') for a factory having regard to the crushing capacity of the factory, the availability of sugarcane in the reserved area and the need for production of sugar, with a view to enabling the factory to purchase the quantity of sugarcane required by it;
    - (b) determine the quantity of sugarcane which a factory will require for crushing during any year;
    - (c) fix, with respect to any specified sugarcane grower or sugarcane growers generally in a reserved area, the quantity or percentage of sugarcane grown by such grower or growers, as the case may be, which each such grower by himself or, if he is a member of a co-operative society of sugarcane growers operating in the reserved area, through such society, shall supply to the factory concerned;

- (d) require a sugarcane grower or a sugarcane growers' co-operative society, supplying sugarcane to a factory, and the factory concerned to enter into an agreement to supply or purchase, as the case may be, the quantity of sugarcane determined under paragraph (c);
- (e) direct that no gur (jaggery) or khandsari sugar or sugar shall be manufactured from sugarcane except under and in accordance with the conditions specified in the licence issued in this behalf;
- (f) prohibit or restrict or otherwise regulate the export of sugarcane from any area (including a reserved area) except under and in accordance with a permit issued in this behalf.

(2) Every sugarcane grower, sugarcane growers' co-operative society and factory, to whom or to which an order made under paragraph (c) of sub-clause (1) applies, shall be bound to supply or purchase, as the case may be, the quantity of sugarcane covered by the agreement entered into under that paragraph and any wilful failure on the part of the sugarcane grower, sugarcane growers' co-operative society or the factory to do so, shall constitute a breach of the provisions of this Order;

Provided that where the default committed by any sugarcane growers' co-operative society is due to any failure on the part of any sugarcane grower, being a member of such society, such society shall not be bound to make supplies of sugarcane to the factory to the extent of such default.

(3) Where an order has been made under clause (a) or clause (b) or clause (c) or clause (d) of sub-rule (2) of rule 125B of the Defence of India Rules, 1962, or an agreement has been entered into in pursuance of an order made under the said clause (d), every such order or agreement shall, notwithstanding the repeal of the said clauses, continue in force as if the order has been made under paragraph (a) or paragraph (b) or paragraph (c) or, as the case may be, under paragraph (d) of sub-clause (1) or the agreement has been entered into in pursuance of an order made under the said paragraph (d).".

[No. 8-63/61-SEXP-II.]

L. G. RAJWADE, Jt. Secy.